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FEB 05 2004

OFFICE OF PETITIONS

In re Application of
Carl J. Pacifico et al.
Application No. 09/996,636
Filed: November 29, 2001
Attorney Docket No. 1001-13 RES

DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)

This is in response to the petition filed under 37 CFR 1.47(a) November 24, 2003.

The petition is **GRANTED**.

Petitioners have shown that the non-signing inventors, Wen-Hsin Wu and Marta Fraley, have refused to join in the filing of the above-identified reissue application after having been sent a copy of the application papers. Specifically, the statement of Susan A. Sispos, Attorney of Record, establishes that the non-signing inventors were each sent a copy of the present reissue application, by certified mail, but the United States Postal Service (USPS) returned the items marked "UNCLAIMED". Thus, by their actions, the non-signing inventors have refused to execute the declarations naming them as joint inventors with Carl J. Pacifico.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the declaration. Notice of the filing of this application will also be published in the Official Gazette.

The application is being forwarded to Technology Center 1711 for examination on the merits.

Telephone inquiries concerning this matter should be directed to the undersigned Petitions Attorney at (703) 305-4497.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions



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Middletown, NY 10941

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OFFICE OF PETITIONS

In re Application of
Carl J. Pacifico et al.
Application No. 09/996,636
Filed: November 29, 2001
For: SENSITIVE SUBSTANCE ENCAPSULATION

Dear Ms. Wu:

You are named as a joint inventor in the above identified United States reissue patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned Petitions Attorney at (703) 305-4497. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

cc:
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Marta Fraley
804 Cooley Road
Parksville, NY 12768

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OFFICE OF PETITIONS

In re Application of
Carl J. Pacifico et al.
Application No. 09/996,636
Filed: November 29, 2001
For: SENSITIVE SUBSTANCE ENCAPSULATION

Dear Ms. Fraley:

You are named as a joint inventor in the above identified United States reissue patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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